

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 6338 OF 2023

Marotrao Begaji Barate and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri S. N. Lute, Advocate for the Petitioners.

Shri V. M. Kagane, A.G.P. for the Respondent Nos. 1 to 4.

Shri S. B. Pulkundwar, Advocate for the Respondent No. 5.

**CORAM : RAVINDRA V. GHUGE AND
 Y. G. KHOBRAGADE, JJ.**

DATE : 21ST JUNE, 2023.

PER COURT :

1. Considering the view expressed by the Hon'ble Supreme Court vide its detailed judgment dated 24th August, 2022 in Civil Appeal No. 5256 of 2022, National Highways Authority of India Vs. Sheetal Jaidev Vade and others, we are not inclined to entertain prayer Clause 'B'.

2. The Petitioners pray that their application dated 28.12.2022, contending that their lands have been acquired in the year 1980, be decided within a particular time frame.

3. The learned Assistant Government Pleader submits that the Respondent No. 3 would consider the representation, though the contention that the lands are acquired in 1980, is wholly

misconceived. There is an increase in the width of the erstwhile National Highway No. 222 by six meters, for which purpose the land has now been acquired. This aspect would be looked into while dealing with the application dated 28.12.2022.

4. By recording above statement **this petition is disposed off**. Let the said application be considered on its own merits and the record available, within 90 (Ninety) days from today.

[Y. G. KHOBRAGADE, J.]

[RAVINDRA V. GHUGE, J.]

bsb/June 23